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CANADA

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EXCELLENT MAJESTY FROM THE AMENDED ROLL OF THE SAID REVISED STATUTES  
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BY THE SAID ACT, 49 VICT., CHAP. 4, 1886.  
1887.



## CHAPTER 161.

An Act respecting Offences relating to the Law of A. D. 1886.  
Marriage.

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Every one who,—

(a.) Without lawful authority, the proof of which shall lie on him, solemnizes or pretends to solemnize any marriage, or—

Unlawfully solemnizing or procuring unlawful solemnization of marriage.

(b.) Procures any person to solemnize any marriage, knowing that such person is not lawfully authorized to solemnize such marriage, or knowingly aids or abets such person in performing such ceremony,—

Is guilty of a misdemeanor, and liable to a fine or to two years' imprisonment, or to both. C. S. U. C., c. 102, ss. 1 and 2;—R. S. N. S. (3rd S.), c. 161, s. 3 ;—1 R. S. N. B., c. 146, s. 2. Punishment.

2. Every one who procures a feigned or pretended marriage between himself and any woman, and every one who knowingly aids and assists in procuring such feigned or pretended marriage, is guilty of a misdemeanor, and liable to two years' imprisonment :

Procuring feigned marriage.

2. No person shall be convicted of any offence under this section upon the evidence of one witness, unless such witness is corroborated in some material particular by evidence implicating the accused :

No conviction on evidence of one witness only.

3. In every case arising under this section the defendant shall be a competent witness in his own behalf upon any charge or complaint against him :

Defendant a competent witness.

4. No prosecution under this section shall be commenced after the expiration of one year from the time when the offence was committed. 49 V., c. 52, ss. 3 and 5, 6, 7 and 8, parts.

Limitation of time for prosecution.

3. Every one who, being lawfully authorized, knowingly and wilfully solemnizes any marriage in violation of the laws of the Province in which the marriage is solemnized, is guilty of a misdemeanor, and liable to a fine or to one year's imprisonment :

Solemnizing marriage in violation of provincial law.

2. No prosecution for any offence against this section shall be commenced except within two years after the offence is committed. C. S. U. C., c. 102, ss. 3, and 4, parts ;—1 R. S. N. B., c. 146, s. 3, part ;—R. S. B. C., c. 89, s. 14.

Time for prosecution limited.

## BIGAMY.

Bigamy.	4. Every one who, being married, marries any other person during the life of the former husband or wife, whether
Punishment.	the second marriage takes place in Canada, or elsewhere, is guilty of felony, and liable to seven years' imprisonment:
Exceptions.	2. Nothing in this section contained shall extend to,—
Marriage by an alien out of Canada.	(a.) Any second marriage contracted elsewhere than in Canada by any other than a subject of Her Majesty resident in Canada and leaving the same with intent to commit the offence;
Absence for seven years.	(b.) Any person marrying a second time whose husband or wife has been continually absent from such person for the space of seven years then last past, and who was not known by such person to be living within that time;
Divorce.	(c.) Any person who, at the time of such second marriage, was divorced from the bond of the first marriage; or—
Former marriage annulled.	(d.) Any person whose former marriage has been declared void by the sentence of any court of competent jurisdiction.
	32-33 V., c. 20, s. 58, <i>part.</i>

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